



California Fair Political Practices Commission

January 6, 1988

John R. Calhoun
City Attorney
City Hall
333 West Ocean Boulevard
Long Beach, CA 90802

Re: 88-017

Dear Mr. Calhoun:

Your letter requesting advice under the Political Reform Act was received on January 4, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, we will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Adm. Code Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths
General Counsel

DMG:jjj

OFFICE OF THE
CITY ATTORNEY
OF
LONG BEACH

JOHN R. CALHOUN
CITY ATTORNEY

ROBERT E. SHANNON
ASSISTANT

December 29, 1987

MAIN OFFICE
City Hall
333 West Ocean Boulevard
Long Beach, California 90802
(213) 590-6061

HARBOR BRANCH OFFICE
Harbor Administration Building
Post Office Box 570
Long Beach, California 90801
(213) 590-4120

WORKERS' COMPENSATION SECTION
(213) 590-6583

Diane Griffith, General Counsel
Fair Political Practices Commission
P. O. Box 807
Sacramento, California 95804

Dear Ms. Griffith:

Members of the Long Beach City Council have expressed concern regarding the applicability of the Political Reform Act of 1974 and regulations of the Fair Political Practices Commission to Mr. Dan Rosenberg and/or the Grass Roots Action for Sane Planning (GRASP) organization which he purports to represent. Enclosed for your information and use are copies of three flyers Mr. Rosenberg recently distributed in the City of Long Beach which solicit contributions for what may be political purposes or activities regarding parking laws and regulations of the City of Long Beach.

In the past few weeks, Mr. Rosenberg has made several appearances before the City Council and has mentioned these flyers in his presentations.

Some of the obvious questions raised by this situation are as follows:


1. Is Mr. Rosenberg and/or the GRASP organization a committee under Section 82013 of the California Government Code?
2. Does money given pursuant to the solicitation contained in the flyers constitute a "contribution" under Government Code Section 82015; and does an expenditure of said funds constitute an "expenditure" under Section 82025 of the California Government Code?
3. What mechanism exists, if any, for determining when the \$500 threshold set forth in Section 82013 has been reached or exceeded?
4. If any money received as a result of the subject solicitations by Rosenberg and/or GRASP constitutes a "contribution" under the Political Reform Act, does Section 84307 require that said funds be deposited in a separate account regardless whether the \$500 threshold is reached?

Diane Griffith, General Counsel
Fair Political Practices Commission
December 29, 1987
Page Two

5. Is there any applicable FPPC rule or regulation requiring any reports or accounting for committees that receive or spend less than \$500 in contributions?

It is requested that you review this matter and provide our office with your comments and advice concerning the applicability of the Political Reform Act and/or any of the Commission's rules and regulations. The above references to statutory provisions are merely intended to point out certain apparent questions raised by this matter, but please do not restrict your review or comments to the code sections mentioned.

If you have any questions or need additional information or desire to discuss this matter, please contact me at (213) 590-6319. Thank you for your consideration and assistance.


JOHN R. CALHOUN
CITY ATTORNEY

JRC:fl
Enclosure
cc: Mayor and City Councilmembers

HOW TO STOP UNFAIR PARKING TICKETS: FLYERS ARE A LOT CHEAPER THAN PARKING TICKETS



Dan Rosenberg 591-5793

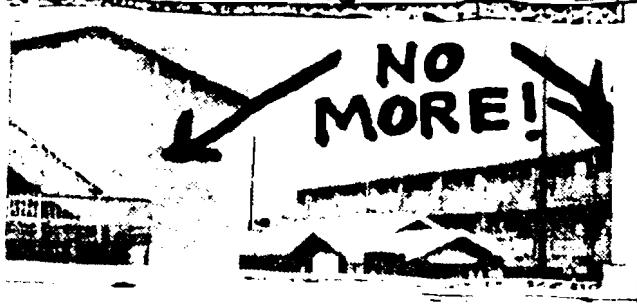
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CORNER; OR A LITTLE BIT IN THE RED; OR ON YOUR OWN LAWN; OR ACROSS YOUR OWN DRIVEWAY, ETC.---THESE FLYERS WORK BECAUSE THEY ACT AS A BRIGHT SPOTLIGHT ON OFFICIAL ABUSE OF POWER & INSENSITIVITY TO OUR BASIC LEGITIMATE NEEDS. ONLY, WHILE THE SPOTLIGHT CONTINUES TO SHINE BRIGHTLY CAN WE EXPECT THE CITY TO CONTINUE TO RELAX & REVIEW ENFORCEMENT OF PARKING RESTRICTIONS WHICH ARE NO LONGER FAIR OR REASONABLE UNDER PRESENT LIVING CONDITIONS WHERE YOU LIVE.-- ONLY, WITH YOUR HELP CAN I CONTINUE THESE EFFORTS. IF YOU BELIEVE THESE EFFORTS ARE ALREADY SAVING SOME OF YOUR MONEY & CAN SAVE A LOT MORE OF IT IN THE FUTURE, PLEASE, HELP NOW! :GRASS ROOTS ACTION FOR SANE PLANNING (GRASP), c/o DAN ROSENBERG, 1325 E. 7TH ST., L.B. 90813 (591-5793)

12-1-87

STOP STREETSWEeping PARKING TICKETS & FEEDING HUNGRY PARKING METERS (12/23-1/1)

SAY NO TO UNFAIR PARKING TICKETS:



"GRASP" THE OPPORTUNITY TO GIVE YOURSELF & YOUR NEIGHBORS IN PARKING, SPACE-POOR AREAS A WELL-DESERVED X-MAS PRESENT! CALL YOUR COUNCILPERSONS OFFICE (SEE PG.2, GTE TEL.DIR.) & ASK FOR VOTE SUPPORTING (ITEM 29) AT COUNCIL MEETING ON TUES., DEC. 22, '87. ALL IT TAKES IS A TELEPHONE CALL! (CALL BETWEEN 8A.M. & 4P.M., 12/21 & 12/22).--THE CITY COUNCIL HAS ALREADY STOPPED COLLECTION OF PARKING METER FEES & THUS, PARKING TICKETS FOR OVERTIME PARKING IN ALL STREETS & PUBLIC METERED PARKING LOTS IN BELMONT SHORE.)

ANYWAY, IN ALL OVERCROWDED L.B. AREAS, WITH MANY MORE RESIDENTS (& THEIR CARS) AT HOME DUE TO THE HOLIDAYS, IT WILL BE IMPOSSIBLE FOR THE STREETSWEeping TRUCKS TO CLEAN THE GUTTERS.-- LET'S TAKE A BROOM & CLEAN THE CURB AROUND OUR OWN CAR(S) & GIVE THE METER-MAIDS & STREETSWEeping TICKETERS A HOLIDAY VACATION!-- IF THIS MAKES SENSE, CALL YOUR COUNCILPERSON'S OFFICE; & IF POSSIBLE, EXPRESS YOURSELF IN PERSON ON TUES., 7P.M., CITY HALL, CEDAR/OCEAN. (FREE PARKING) "GRASP", c/o DAN ROSENBERG, 1325 E. 7TH ST., #9, L.B.90813 (591-5793)

P.S. I AM NOT SANTA CLAUS! FLYERS, ETC. COST MONEY! PLEASE, HELP NOW!

#30 11-10-87

SAY NO TO UNFAIR PARKING TICKETS:

MORE UNFAIR FINES COMING

IF YOU AGREE, CUT
ALONG DOTTED
LINES & TAPE IN
CAR WINDOW.

**NO
MORE!**

SEND ME ALL YOUR UNFAIR TICKETS
FOR A SPECIAL DELIVERY TO THE
TO THE LONG BEACH CITY COUNCIL.

591-5793

Dan Rosenberg

YOU AIN'T SEEN NOTHING YET!--THE CITY IS BUY-
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YEAR.---IF YOU ARE SICK & TIRED OF BEING VICTIM-
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BY: 1. MAKING OUT A CHECK TO THE CITY FOR THE FULL
AMOUNT OF FINE; PLUS, A CHECK FOR \$5.00 MADE OUT
TO: DAN ROSENBERG: PLUS, ANY COMMENTS YOU WANT TO
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YOU WANT THE COUNCIL TO PLACE AN EMERGENCY MORATORIUM ON APARTMENT BUILDING &
REDUCE THE NUMBER OF PERMITTED UNITS PER LOT TO TWO(R-2).
PLEASE, RETURN TO DAN ROSENBERG, 1325 E. 7th ST, LONG BCH., CA.90813 (591-5793)



California Fair Political Practices Commission

February 1, 1988

John R. Calhoun
City Attorney
City of Long Beach
City Hall
333 West Ocean Boulevard
Long Beach, CA 90802

Re: Your Request for Advice
Our File No. I-88-017

Dear Mr. Calhoun:

You have asked for advice concerning the activities of Dan Rosenberg and the Grass Roots Action for Sane Planning Organization (GRASP).

The Commission's Legal Division does provide written advice to persons with questions about their duties under the Political Reform Act (the "Act").^{1/} (Section 83114(b).) We do not provide formal advice to third parties about another person's duties unless the third party has been authorized to request advice by the person whose duties are in question. (Regulation 18329(b)(8)(B).) Therefore, we cannot provide formal advice on the question you have raised. However, we can provide general guidance to assist you in analyzing the situation.

Elected officeholders, candidates for state and local elected offices, and "committees" are subject to the Act's campaign provisions. Section 82013 defines "committee" as:

[A]ny person or combination of persons who directly or indirectly does any of the following:

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

John R. Calhoun
February 1, 1988
Page 2

(a) Receives contributions totaling one thousand dollars (\$1,000) or more in a calendar year;

(b) Makes independent expenditures totaling one thousand dollars (\$1,000) or more in a calendar year;
or

(c) Makes contributions totaling ten thousand dollars (\$10,000) or more in a calendar year to or at the behest of candidates or committees....

A person (other than a candidate or officeholder) who receives money for "political purposes" has received "contributions," and must register and file disclosure reports as a "recipient committee" under Section 82013(a). Section 82015 and Regulation 18215 define "contribution."

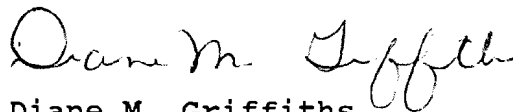
Regulation 18215 defines "a payment for political purposes," in relevant part, as a payment:

(1) For the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate or candidates, or the qualification or passage of any measure....

To summarize, a person or group which is receiving money must intend to spend the money for "political purposes" as defined in the Act and Commission regulations in order to incur any disclosure obligations under the Act's campaign provisions. "Political purposes" is defined to include efforts to influence the action of voters for or against candidates or ballot measures.

If you have any questions, please give me a call at (916) 322-5901.

Sincerely,



Diane M. Griffiths
General Counsel

DMG:plh

OFFICE OF THE
CITY ATTORNEY
OF
LONG BEACH

December 29, 1987

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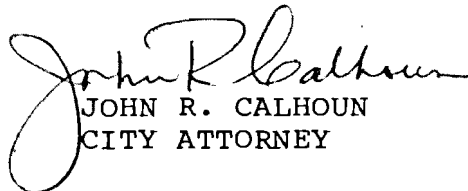
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PLEASE, RETURN TO DAN ROSENBERG, 1325 E. 7th ST, LONG BCH., CA.90813 (591-5793)

88-117

MAR 21 8 47 AM '88

904 Highway 96
Yreka, Calif. 96097
March 15, 1988

Fair Political Practices Commission
General Council Diane Griffiths
P. O. Box 807
Sacramento, Calif. 95804

Dear Ms. Griffiths:


This morning I called your office and would like confirmation regarding the following question:

In running my campaign is there anything in your regulations that would find it improper to use the following approach to campaigning: A Contest. For the first registered voter in my district to send a card with the number of individual campaign adds presented on the local radio station. First post card drawn after election day submitted will receive a Savings Bond (amount yet undetermined).

These adds will be promoting economic grow ideas held by me the candidate, candidate qualifications, encouraging people participation in government, ie voting.

It is my understanding I will have to check with other agencies as this may come under several government jurisdictions however. I would like your letter pertaining to your expertise.

Thank you very much.

Sincerely,

Nancy E. Gregg,
Candidate, Supervisor District 4,
Siskiyou County



California Fair Political Practices Commission

March 23, 1988

Nancy E. Gregg
904 Highway 96
Yreka, CA 96097

Re: 88-117

Dear Ms. Gregg:

Your letter requesting advice under the Political Reform Act was received on March 21, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

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Jeanne Pritchard by jph

Jeanne Pritchard

Chief

Technical Assistance and Analysis
Division

JP:plh